

10

Docket No. 99-111CIP1
PATENT

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office at facsimile number (703) 308-6916 addressed to: Office of Petitions, Assistant Commissioner for Patents, Washington, D.C. 20231 on ~~5/8/02~~ June 13, 2002, SS

BY: Suzanne Shadley
Suzanne Shadley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boussie et al.

Serial No.: 09/854,128

Group Art Unit: unknown

Filed: 5/10/2001

For: Polymer Libraries on Substrate, Method of
Forming Polymer Libraries on a Substrate
and Characterization Methods with Same

Examiner: Not Yet Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

FAX RECEIVED

JUN 13 2002

PETITIONS OFFICE

PETITION FOR RECONSIDERATION
RESPONSE TO "DECISION DISMISSING PETITION"

Dear Sir:

This is in response to the DECISION DISMISSING PETITION mailed on April 17, 2002 (Paper No. 7) in the above-identified application. The decision states that the application merely claims priority to prior Application No. 09/567,598 and does not specifically incorporate it by reference.

Applicants respectfully request reconsideration of these statements. Specifically the current application, on page 1, paragraph [0002] of the above-identified specification it states "This application claims the benefit under 35 U.S.C. §120, and is a continuation-in-part of co-pending U.S. Patent Application No. 09/567,598, filed May 10, 2000, which claims the benefit of U.S. Patent Application No. 09/156,827 filed September 18, 1998, both of which are incorporated herein by reference." (Emphasis added). Therefore, Figure 1 and Figure 2 have been incorporated by reference into the current specification. The claim to benefit was not the only action taken. Also, the contents of Figure 1 is described in detail on page 20, paragraph [0068] and Figure 2 is described in detail on page

Docket No. 99-111CIP1
PATENT

22, paragraph [0073] of the specification. Thus, the subject matter is complete without the actual figure and there will be no new matter from accepting the figure now. Therefore, Figure 1 and Figure 2 (the drawings) should be accepted and this application should be accorded the original filing date of May 10, 2001.

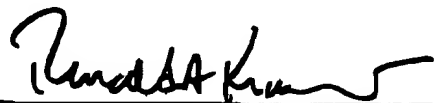
Applicants respectfully request reconsideration of the petition and the acceptance of Figure 1 and Figure 2 at this time.

The Commissioner is hereby authorized to charge payment of the \$130.00 petition fee required under 37 C.F.R. § 1.17(h), in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 50-0496 or any other additional charges which may be incurred.

Respectfully Submitted,

Date: _____

6-12-02



Ronald A. Krasnow Reg. No. 33, 321
Attorney for Applicants

Symyx Technologies, Inc.
3100 Central Expressway
Santa Clara, CA 95051
Tel: (408) 764-2000
Fax: (408) 773-4024

Express Mail No. EL493560479US

Docket No. 99-111CIP1

Title:

[0001] Polymer Libraries on a Substrate, Method of Forming Polymer Libraries on a
5 Substrate and Characterization Methods with Same.

Benefit of Claim:

[0002] This application claims the benefit under 35 U.S.C. §120 and is a continuation-in-part
10 of co-pending U.S. Patent Application No. 09/567,598, filed May 10, 2000, which claims the
benefit of U.S. Patent Application No. 09/156,827 filed September 18, 1998, both of which
are incorporated herein by reference.

Field of the Invention:

15

[0003] This invention generally relates to methods for the creation of a library of polymeric
materials at known locations on a substrate surface to facilitate performance of rapid
analytical procedures. This invention also relates to the arrays of polymeric materials created
by such methods and analyzing such arrays of polymeric materials.

20

Background of the Invention:

[0004] Recently, there have been several developments in the area of high through-put
screening for catalysts and other reactive chemicals. For example, U.S. Patent No. 6,030,917,
25 *inter alia*, discloses methods for the preparation and screening of large numbers of
organometallic compounds which can be used not only as catalysts, but also as additives and
therapeutic agents. Also, U.S. Patent No. 5,985,356 discloses methods of preparing and
screening polymeric materials in array format. In U.S. Patent No. 6,030,917, for example,
libraries of catalysts and organometallic compounds may be synthesized, screened and
30 characterized by synthesizing a spatially segregated array of ligands, combining the ligands
with metal precursors, activating the ligand-metal precursor combination, and thereafter
combining the activated compound with a third element, such as an olefin for polymerization.
Thereafter the product may be rapidly screened using various characterization techniques.